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MAY 05 2005

**FACSIMILE TRANSMITTAL SHEET**

**Deliver to:** Examiner Khiem M. Nguyen, Art Unit 2839  
**Firm Name:** U.S. Patent & Trademark Office  
**Fax Number:** 703-872-9306  
**From:** John P. Ward      **Operator:** Anne Collette  
**Date:** May 5, 2005  
**App. No.:** 10/749,753  
**No. of pages:** 7 (including cover sheet)  
**Client/Matter:** 42P17088      **Docket Date:** 5/5/2005      **Atty:** APS

Dear Examiner:

Please find the following document(s) attached:

- 1) Fee Transmittal (1 page)
- 2) Response to Office Action (5 pages)

Thank you.

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| <b>CERTIFICATE OF TRANSMISSION</b>  |                          |
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| By: <u>Anne Collette</u><br>Anne Collette   | Date: <u>May 5, 2005</u> |

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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032  
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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 120.00)

## Complete If Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | 10/749,753        |
| Filing Date          | December 30, 2003 |
| First Named Inventor | Yun Ling          |
| Examiner Name        | Khiem M. Nguyen   |
| Art Unit             | 2839              |
| Attorney Docket No.  | 42P17088          |

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       |                |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) | Fees Paid (\$) |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   | _____          |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    | _____          |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    | _____          |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   | _____          |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     | _____          |

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity Fee (\$)

Fee (\$)

Fee (\$)

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200

100

Multiple dependent claims

360

180

| Total Claims   | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|--|--------------|----------|---------------|---------------------------|----------|---------------|
| - 20 or HP =   | x            | =        |               |                           |          |               |
| HP = highest number of total claims paid for, if greater than 20 |              |          |               |                           |          |               |

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|----------|---------------|
| - 3 or HP =   | x            | =        |               |          |               |

HP = highest number of independent claims paid for, if greater than 3

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 =      | / 50 =       | (round up to a whole number) x                   | =        |               |

## 4. OTHER FEE(S)

1) Extension for response within first month (Fee Code 1251)

Fee Paid (\$)

120.00

## SUBMITTED BY

|                   |                   |   |                        |
|-------------------|-------------------|---|------------------------|
| Signature         |                   | Registration No. 40,216<br>(Attorney/Agent) | Telephone 408-420-6300 |
| Name (Print/Type) | John Patrick Ward |   | Date May 5, 2005       |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/749,753 Confirmation No. 9077  
Inventor : Yun Ling et al.  
Filed : December 30, 2003  
TC/A.U. : 2839  
Examiner : Nguyen, Khiem  
  
Docket No. : 42P17088

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action of January 5, 2005 please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

05/09/2005 JBALINAN 00000065 022666 10749753

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## CERTIFICATE OF TRANSMISSION

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By: Anne Collette  
Anne Collette

Date: May 5, 2005